



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,923	02/05/2004	Keigo Nakamura	17411	5234
23389 7590 02/13/2008 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				
EXAMINER VIZVARY, GERALD C				
ART UNIT 3696		PAPER NUMBER		
MAIL DATE 02/13/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/772,923

Applicant(s)

NAKAMURA, KEIGO

Examiner

GERALD C. VIZVARY

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE/IB)
Paper No(s)/Mail Date 2/5/2004, 9/23/2004 & 7/24/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Introduction

The following is a non-final office action in response to the communications received on 2/5/2004 Claims 1-17 are now pending in this application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, & 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rosen 7,269,256 B2

As per claim 1, Rosen 7,269,256 B2 teaches an electronic money system comprising a settlement terminal for receiving and executing a request for settlement processing with at least one sort of electronic money, ("As will be understood, a money module may be embodied as a modular component of any larger processing environment while still performing the same functions. For example, Transaction money modules 4 may work as co-processors embedded in personal portable computing devices like the Hewlett-Packard 95LX, or as co-

Art Unit: 3694

processors in mainframe computers, workstations, point-of-sale terminals or telephone devices (fixed or portable) connected to a network." Rosen 7,269,256 B2 col. 11 lines 56-65)

and

a mobile terminal including electronic money storage means for storing and holding the amounts available of a plurality of various sorts of the electronic money, said mobile terminal transmitting a request for settlement processing with the electronic money in dependency upon said settlement terminal ("In the preferred embodiment, the external system or device will typically contain data display means, data input means, data processing means, memory storage means, direct connection or contactless bidirectional communications means, and the money module packaged in a tamper-proof housing, all interfaced by suitable means for information transfer, such as are well known in the art. Rosen 7,269,256 B2 col. 11 lines 50-56);

said system further comprising means for accepting an exchange rate inquiry processing from said mobile terminal to transmit an exchange rate between two or more sorts of the electronic money, at least including said one sort of the electronic money, to said mobile terminal ("Subscriber to Subscriber Foreign Exchange: Referring to FIG. 46, the process flow for an exchange of foreign currencies between two Transaction money modules 4 will now be illustrated. In this example Alice (or a hypothetical corporation, denoted "A" in FIGS. 46-46A) agrees to exchange dollars for pounds with Bob (or a hypothetical corporation, denoted "B" in FIGS. 46-46A). The Exchange rate that they have agreed to will

Art Unit: 3694

be a ratio of dollars to pounds (Step 300)." Rosen 7,269,256 B2 col. 51 lines 38-46);

and means for updating, on accepting an exchange execute request including the information on the exchange amount with any one sort of the electronic money before exchange or after exchange from said mobile terminal, the amount available of the various sorts of the electronic money in said electronic money storage means of said mobile terminal, based on said exchange rate and on said exchange execute request. ("The Note Directory application 39 updates the current amount of electronic notes 11 (both currency and credit), after every transfer. A date-of-expiration, a note identification number and an Issuing Bank identifier is also recorded with the location of each note 11." Rosen 7,269,256 B2 col. 114 line 67-col. 115, line 3)

As per claim 2 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 1 wherein a plurality of electronic money exchange servers are provided ("Network Servers 26 may provide the money module services described below, and gateway services to the local networks 16, 17, 18. The application functions of the preferred embodiment of the Network Server 26 are shown in the block diagram of FIG. 8. The following application functions are contemplated for the Network Server 26: Rosen 7,269,256 B2 col. 20 lines 30-35);

said mobile terminal performing inquiry processing for inquiring at each of said electronic money exchange servers as to whether or not one sort of the

Art Unit: 3694

electronic money selected from the plural sorts of the electronic money stored and held in said electronic money storage means is exchangeable with another sort of the electronic money; each of said electronic money exchange servers responding to said inquiry processing ("For example, Transaction money modules 4 may work as co-processors embedded in personal portable computing devices like the Hewlett-Packard 95LX, or as co-processors in mainframe computers, workstations, point-of-sale terminals or telephone devices (fixed or portable) connected to a network. Rosen 7,269,256 B2 col. 11 lines 59-65);

said mobile terminal executing said exchange rate inquiry processing to the electronic money exchange server which has made an affirmative reply to said inquiry processing. ("Thereafter, the To Subscriber 33 applications of both Transaction money modules 4 prompt the respective users to select a type of transaction (Steps 302-303). In this example, Alice and Bob agree to exchange her dollars for his pounds." Rosen 7,269,256 B2 col. 51 lines 50-60);

As per claim 4 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 1 wherein said one sort of the electronic money is the electronic money proper to a network of said settlement terminal; and wherein said electronic money exchange server(s) changes the exchange rate in dependency upon the sort of the electronic money exchanged and the exchange amount. ("If funds are sufficient, then Pay/Exchange A passes the amount to the money holder (step 1810). The notes are then transferred from A to B (step 1812).

Art Unit: 3694

Finally, the transaction money modules commit (step 1814)." Rosen 7,269,256 B2 col. 93 lines 14-17)

As per claim 6 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 2 wherein said various sorts of the electronic money includes at least the electronic money in terms of "yen" and the electronic money in terms of the foreign currency; said electronic money exchange server(s) changing the exchange rate between the electronic money in terms of "yen" and the electronic money in terms of the foreign currency in dependency upon the exchange amount. ("Because it is contemplated that an electronic note 11 will be fungible, i.e., it can be broken into any desired amount, the amount transacted between the Transaction, money modules 4 may be of any amount up to the amount stored in the payer's Transaction money module 4. " Rosen 7,269,256 B2 col. 8, lines 14-18)

As per claim 12, Rosen 7,269,256 B2 teaches an electronic money exchange server for exchange from one sort of the electronic money to another in an electronic money system including a settlement terminal for receiving and executing a request for settlement processing with at least one sort of electronic money, ("As will be understood, a money module may be embodied as a modular component of any larger processing environment while still performing the same functions. For example, Transaction money modules 4 may work as co-processors embedded in personal portable computing devices like the Hewlett-

Art Unit: 3694

Packard 95LX, or as co-processors in mainframe computers, workstations, point-of-sale terminals or telephone devices (fixed or portable) connected to a network." Rosen 7,269,256 B2 col. 11 lines 56-65) and a mobile terminal including electronic money storage means for storing and holding a plurality of various sorts of the electronic money, said mobile terminal transmitting a request for settlement processing with the electronic money in agreement with said settlement terminal ("In the preferred embodiment, the external system or device will typically contain data display means, data input means, data processing means, memory storage means, direct connection or contactless bidirectional communications means, and the money module packaged in a tamper-proof housing, all interfaced by suitable means for information transfer, such as are well known in the art. Rosen 7,269,256 B2 col. 11 lines 50-56);

said electronic money exchange server comprising means for transmitting an exchange rate between two or more sorts of the electronic money, at least including said one sort of the electronic money, to said mobile terminal, in case exchange rate inquiry processing is performed from said mobile terminal ("Subscriber to Subscriber Foreign Exchange: Referring to FIG. 46, the process flow for an exchange of foreign currencies between two Transaction money modules 4 will now be illustrated. In this example Alice (or a hypothetical corporation, denoted "A" in FIGS. 46-46A) agrees to exchange dollars for pounds with Bob (or a hypothetical corporation, denoted "B" in FIGS. 46-46A). The Exchange rate that they have agreed to will be a ratio of dollars to pounds (Step 300)." Rosen 7,269,256 B2 col. 51 lines 38-46); and

Art Unit: 3694

means for updating, on accepting an exchange execute request, including the information on the exchange amount by one sort of the electronic money before exchange or after exchange, from said mobile terminal, the amount available of the various sorts of the electronic money in said electronic money storage means of said mobile terminal, based on said exchange rate and on said exchange execute request. ("The Note Directory application 39 updates the current amount of electronic notes 11 (both currency and credit), after every transfer. A date-of-expiration, a note identification number and an Issuing Bank identifier is also recorded with the location of each note 11." Rosen 7,269,256 B2 col. 114 line 67-col. 115, line 3)

As per claim 13, Rosen 7,269,256 B2 teaches an electronic money exchange server as defined in claim 12 wherein said various sort of the electronic money at least includes the electronic money in terms of "yen" and the electronic money in terms of the foreign currency; and wherein the exchange rate of the electronic money in terms of "yen" ("Referring to FIG. 67, MM To Subscriber A prompts trusted agent A for the amount of payment by type of note (e.g., dollars, yen, pounds, etc.) (step 558)." Rosen 7,269,256 B2 col. 72 lines 25-27) and the electronic money in terms of the foreign currency is changed in dependency upon the exchange amount.

("Because it is contemplated that an electronic note 11 will be fungible, i.e., it can be broken into any desired amount, the amount transacted between the Transaction, money modules 4 may be of any amount up to the amount stored in

Art Unit: 3694

the payer's Transaction money module 4. " Rosen 7,269,256 B2 col. 8, lines 14-18)

As per claim 14, Rosen 7,269,256 B2 teaches an electronic money exchange server as defined in claim 12 wherein said one sort of the electronic money is the electronic money proper to a network of the settlement terminal; and wherein the exchange rate is changed in dependency upon the sort of the electronic money exchanged and the exchange amount. ("Because it is contemplated that an electronic note 11 will be fungible, i.e., it can be broken into any desired amount, the amount transacted between the Transaction, money modules 4 may be of any amount up to the amount stored in the payer's Transaction money module 4. " Rosen 7,269,256 B2 col. 8, lines 14-18)

As per claim 15, Rosen 7,269,256 B2 teaches an electronic money exchange server as defined in claim 13 wherein said one sort of the electronic money is the electronic money proper to a network of the settlement terminal; and wherein the exchange rate is changed in dependency upon the sort of the electronic money exchanged and the exchange amount. ("Because it is contemplated that an electronic note 11 will be fungible, i.e., it can be broken into any desired amount, the amount transacted between the Transaction, money modules 4 may be of any amount up to the amount stored in the payer's Transaction money module 4. " Rosen 7,269,256 B2 col. 8, lines 14-18)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 5-11, 16 & 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen 7,269,256 B2 in view of Sandhu US 6,347,307 B1.

As per claim 3 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 1 wherein said various sorts of the electronic money includes at least the electronic money in terms of "yen" and the electronic money in terms of the foreign currency; said electronic money exchange server(s) changing the exchange rate between the electronic money in terms of "yen" ("Referring to FIG. 67, MM To Subscriber A prompts trusted agent A for the amount of payment by type of note (e.g., dollars, yen, pounds, etc.) (step 558)." Rosen 7,269,256 B2 col. 72 lines 25-27)

Rosen 7,269,256 B2 fails to explicitly teach the electronic money in terms of the foreign currency in dependency upon the exchange amount.

Sandhu US 6,347,307 B1 teaches "The present invention provides a system and method that enables users, such as "Members" (e.g., institutional investors) and "Providers" (e.g., financial institutions), to engage in capital market transactions, including the trading of Over-the-Counter financial products, via the Internet

Art Unit: 3694

(including the World Wide Web). The system includes a variety of servers, applications, and interfaces that enable users to interactively communicate and trade financial instruments among one another, and to manage their portfolios."

(Sandhu US 6,347,307 B1 col. 2 lines 11-19)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 5 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 1.

Rosen 7,269,256 B2 fails to explicitly teach that two or more of electronic money exchange servers with different exchange rates are provided;

and wherein said mobile terminal may select, based on said exchange rate, the electronic money exchange server to which said exchange execute request is transmitted.

Sandhu US 6,347,307 B1 teaches "The present invention provides a system and method that enables users, such as "Members" (e.g., institutional investors) and "Providers" (e.g., financial institutions), to engage in capital market transactions, including the trading of Over-the-Counter financial products, via the Internet

Art Unit: 3694

(including the World Wide Web). The system includes a variety of servers, applications, and interfaces that enable users to interactively communicate and trade financial instruments among one another, and to manage their portfolios.”

(Sandhu US 6,347,307 B1 col. 2 lines 11-19)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 7 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 2 wherein said one sort of the electronic money is the electronic money proper to a network of said settlement terminal (“Transaction money modules 4 may work as co-processors embedded in personal portable computing devices like the Hewlett-Packard 95LX, or as co-processors in mainframe computers, workstations, point-of-sale terminals or telephone devices (fixed or portable) connected to a network.” Rosen 7,269,256 B2 col. 11 lines 59-65)

Rosen 7,269,256 B2 fails to explicitly teach that said electronic money exchange server(s) changes the exchange rate in dependency upon the sort of the electronic money exchanged and the exchange amount.

Art Unit: 3694

Sandhu US 6,347,307 B1 teaches "a market data parser that can extract market data provided to the system, the market data including market interest rates or currency exchange rate." (Sandhu US 6,347,307 B1 col. 53, lines 15-17)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 8 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 3 wherein said one sort of the electronic money is the electronic money proper to a network of said settlement terminal ("Transaction money modules 4 may work as co-processors embedded in personal portable computing devices like the Hewlett-Packard 95LX, or as co-processors in mainframe computers, workstations, point-of-sale terminals or telephone devices (fixed or portable) connected to a network." Rosen 7,269,256 B2 col. 11 lines 59-65).

Rosen 7,269,256 B2 fails to explicitly teach that said electronic money exchange server(s) changes the exchange rate in dependency upon the sort of the electronic money exchanged and the exchange amount.

Art Unit: 3694

Sandhu US 6,347,307 B1 teaches "A Foreign Exchange Spot ("FX Spot") transaction is one in which one party acquires a specified quantity of one currency in exchange for another currency from another party, to be paid or settled as soon as is standard (i.e., usually two days) in the foreign exchange market. For example, a Member buys from a Provider 2 million Euros for U.S. Dollars to be paid in two days.

The FX Spot element represents such a transaction and includes the following sub-elements and attributes:

"Dealt Amount": the specified amount of currency to be converted into the currency being acquired.

"Settled Amount": the amount of currency being acquired. Trade Date": the date on which the currency trade has been agreed to by the parties. (Sandhu US 6,347,307 B1 col. 11 lines 13-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 9 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 2.

Art Unit: 3694

Rosen 7,269,256 B2 fails to explicitly teach that two or more of electronic money exchange servers with different exchange rates are provided; said mobile terminal may select, based on said exchange rate, the electronic money exchange server to which said exchange execute request is transmitted.

Sandhu US 6,347,307 B1 teaches "Interactive communications supported by the system include: requesting price quotes, monitoring and reviewing quote requests, issuing price quotes, monitoring and reviewing price quotes, negotiation between Members and Providers, acceptance of price quotes, reporting, portfolio management, analysis of financial information and market data, calendaring, and communications among Members, Providers, and/or system administrators, including e-mail, chat, and message boards." (Sandhu US 6,347,307 B1 col. 2 lines 10-19)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 10 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 3.

Art Unit: 3694

Rosen 7,269,256 B2 fails to explicitly teach that two or more of electronic money exchange servers with different exchange rates are provided; and wherein said mobile terminal may select, based on said exchange rate, the electronic money exchange server to which said exchange execute request is transmitted.

Sandhu US 6,347,307 B1 teaches "Interactive communications supported by the system include: requesting price quotes, monitoring and reviewing quote requests, issuing price quotes, monitoring and reviewing price quotes, negotiation between Members and Providers, acceptance of price quotes, reporting, portfolio management, analysis of financial information and market data, calendaring, and communications among Members, Providers, and/or system administrators, including e-mail, chat, and message boards." (Sandhu US 6,347,307 B1 col. 2 lines 10-19)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 11 Rosen 7,269,256 B2 teaches an electronic money system as defined in claim 4.

Rosen 7,269,256 B2 fails to explicitly teach that two or more of electronic money exchange servers with different exchange rates are provided; and wherein said mobile terminal may select, based on said exchange rate, the electronic money exchange server to which said exchange execute request is transmitted.

Sandhu US 6,347,307 B1 teaches "A Foreign Exchange Spot ("FX Spot") transaction is one in which one party acquires a specified quantity of one currency in exchange for another currency from another party, to be paid or settled as soon as is standard (i.e., usually two days) in the foreign exchange market. For example, a Member buys from a Provider 2 million Euros for U.S. Dollars to be paid in two days.

The FX Spot element represents such a transaction and includes the following sub-elements and attributes:

"Dealt Amount": the specified amount of currency to be converted into the currency being acquired.

"Settled Amount": the amount of currency being acquired. Trade Date": the date on which the currency trade has been agreed to by the parties. (Sandhu US 6,347,307 B1 col. 11 lines 13-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately,

Art Unit: 3694

and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 16 Rosen 7,269,256 B2 teaches a mobile terminal for use in the electronic money system as defined in claim 5.

Rosen 7,269,256 B2 fails to explicitly teach that said exchange rate inquiry processing is carried out to each electronic money exchange server Sandhu US 6,347,307 B1 teaches "Interactive communications supported by the system include: requesting price quotes, monitoring and reviewing quote requests, issuing price quotes, monitoring and reviewing price quotes, negotiation between Members and Providers, acceptance of price quotes, reporting, portfolio management, analysis of financial information and market data, calendaring, and communications among Members, Providers, and/or system administrators, including e-mail, chat, and message boards." Sandhu US 6,347,307 B1 col. 2 lines 10-19); and wherein the electronic money exchange server with the highest exchange rate is selected; said exchange execute request being transmitted to the electronic money exchange server selected. ("The present invention provides a system and method that enables users, such as "Members" (e.g., institutional investors) and "Providers" (e.g., financial institutions), to engage in capital market transactions, including the trading of Over-the-Counter financial products, via the Internet (including the World Wide Web). The system includes a variety of servers, applications, and interfaces that enable users to interactively

Art Unit: 3694

communicate and trade financial instruments among one another, and to manage their portfolios. Sandhu US 6,347,307 B1 col. 2 lines 19-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 17 Rosen 7,269,256 B2 teaches a mobile terminal for use in the electronic money system as defined in claim 5.

Rosen 7,269,256 B2 fails to explicitly teach that inquiry processing is carried out for inquiring at each electronic money exchange server as to whether or not a sort of the electronic money selected from plural sorts of the electronic money stored and held in said electronic money storage means of said mobile terminal is the electronic money exchangeable with another sort of the electronic money scheduled to be exchanged; the electronic money exchange server which has returned an affirmative reply to said inquiry processing is selected and the exchange rate inquiry processing is carried out to the electronic money exchange server selected

Sandhu US 6,347,307 B1 teaches "Interactive communications supported by the system include: requesting price quotes, monitoring and reviewing quote

Art Unit: 3694

requests, issuing price quotes, monitoring and reviewing price quotes, negotiation between Members and Providers, acceptance of price quotes, reporting, portfolio management, analysis of financial information and market data, calendaring, and communications among Members, Providers, and/or system administrators, including e-mail, chat, and message boards.” (Sandhu US 6,347,307 B1 col. 2 lines 10-19); and wherein the electronic money exchange server with the highest exchange rate is selected and the exchange execute request is transmitted to the electronic money exchange server selected. (“The present invention provides a system and method that enables users, such as “Members” (e.g., institutional investors) and “Providers” (e.g., financial institutions), to engage in capital market transactions, including the trading of Over-the-Counter financial products, via the Internet (including the World Wide Web). The system includes a variety of servers, applications, and interfaces that enable users to interactively communicate and trade financial instruments among one another, and to manage their portfolios. Sandhu US 6,347,307 B1 col. 2 lines 19-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Rosen 7,269,256 B2 to include the web based financial transaction feature of Sandhu US 6,347,307 B1 since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

1. The following is prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hawkins (US 6,247,000 B1) shows a Crossmar Matching Service (CMS) provides a method and system for matching order routing of securities and other instrument types, and for matching other transaction information on a post-execution basis, such as during the confirmation and settlement phase. The functions of the present invention occur on the post-execution side of the value chain and include matching the financials, matching the delivery instructions, and confirming those deliveries and instructions. The method and system of the present invention thus further provide a confirmation and settlement system for these functions.

Reuter (US 7,321,873 B2) shows Computer-implemented trading of financial products can include using a first communication channel to stream offering data for a plurality of different financial products from a server to a trading terminal. A second communication channel can be used to receive request for offers about ones of the financial products from the trading terminal. Such request can include user-specified parameters that modify or further specify characteristics of the desired products. Offers may then be determined for the product in accordance with the user-specified parameters and transmitted (over the second

Art Unit: 3694

communication channel) back to the trading terminal. Each communication channel can be allocated a different priority and/or different level of system processing resources to optimize the allocation of system resources based on the criticality of data on each channel.

Boesch (US 5,897,621) shows A system and method for determining approval of a multi-currency transaction between a customer and a merchant over a network. The system includes a customer computer which is connected to a communication network, a merchant computer which is connected to the communication network, and a server connected to both the customer computer via the communication network and to the merchant computer via the communication network. The customer computer includes a first set of data which contains an amount the customer is willing to pay the merchant for a product in a first currency. The merchant computer includes a second set of data which contains a product price at which the merchant agrees to sell the product in a second currency. The server receives the first set of data and the second set of data. The server then converts the amount in the first currency into a converted amount in the second currency. The server approves the transaction if the converted amount in the second currency is within a risk range of the product price in the second currency in accordance with current exchange rates. Once the transaction is approved, the approving entity may settle the transaction at its discretion thereby bearing the risk associated with currency exchange. The parties, however, incur no risk. The customer will pay be amount in the first

currency and the merchant will receive the price in the second currency. These are values known and agreed to by the parties at the time of the transaction.

Potter (US 5787402) shows A method and system for performing financial transaction involving foreign currencies deals in virtually all trading currencies, automatically incorporates the current market process and operates in a secure environment. Customers can access the system on-line and in real time through various terminals such as, for example, a personal computer (PC). By inputting information in response to prompts on the screen, the system quickly identifies the nature of the transaction the customer desires and the customer inputs the characteristics of the transaction the user desires. The system then automatically generates an offer in response to the customer's request based upon a number of parameters including the market price, the size and nature of the transaction and the size and nature of the client. The system then promptly displays the bank's offer to the customer in a clear and concise manner. The customer is then given an opportunity to accept the offer, ask that the offer be updated or reject the offer. If the customer delays for too long a period of time in deciding to accept or reject the offer, the system automatically withdraws and updates the offer thereby protecting the bank from liability for a "stale" rate. If accepted, the trade is automatically forwarded for processing and assigned a reference number for tracking and control purposes.

Art Unit: 3694

Hogan (US 5557516) shows System and method for conducting cashless transactions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald C. Vizvary whose telephone number is 571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4268.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/THOMAS A DIXON/

Art Unit: 3694

Supervisory Patent Examiner, Art
Unit 3694

Gerald Vizvary
Patent Examiner, A.U. 3609
February 4, 2008